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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

KLOOSTERBOER INTERNATIONAL FORWARDING LLC and ALASKA REEFER MANAGEMENT LLC,)) Case No. 3:21-cv-00198-SLG
Plaintiffs, vs.) UNITED STATES' RESPONSE TO DKT. 59
UNITED STATES OF AMERICA, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION, and TROY A. MILLER, U.S. Customs and Border Protection Acting Commissioner, in his official capacity,) 10 DK1. 93))))))
Defendants.)

COMES NOW, the United States of America, by and through undersigned counsel, to respond to the filing by Plaintiffs today at Dkt. 59:

In their filing today, Plaintiffs have submitted new evidence in the form

of a Declaration of M. Christy McManus, dated September 17, 2021, and a new

proposed order "which has been revised for purposes of clarity in scope." [Dkt.

59 at 1-2]

The United States does not view the McManus declaration or revised

proposed order as timely or material, and therefore the Government does not

intend to respond to Plaintiffs' filing unless the Court believes that would be

helpful, in which case the Government will provide a response as directed

(likely tomorrow, given the many pertinent CBP personnel working in the

Eastern Time Zone). The United States stands ready to respond as directed by

the Court.

RESPECTFULLY SUBMITTED this 20th day of September 2021, in

Anchorage, Alaska.

E. BRYAN WILSON

Acting United States Attorney

s/ Seth M. Beausang

Assistant U.S. Attorney

Attorney for the Defendant

Kloosterboer v. United States, et al.

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2021, a copy of the foregoing was served electronically on:

David Karl Gross, ABA #9611065 Edward E. McNally, ABA #9203003 Marc E. Kasowitz (*Pro Hac Vice*) David J. Abrams (*Pro Hac Vice*) David E. Ross (*Pro Hac Vice*) Hector Torres (*Pro Hac Vice*) Kim Conroy (*Pro Hac Vice*) Attorneys for Plaintiffs

s/ Seth M. Beausang
Office of the U.S. Attorney

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